



Familial searching can be a great investigative lead, but some opponents have expressed concerns about the effects it has on the family members involved.

The advantages of familial searching for the law enforcement community are extensive. The simplest of these lies in providing a larger pool of candidates from which to match crime scene samples to offenders, said Davey McCann, forensic science specialist at the Kentucky State Police Central Forensic Laboratory.

Other advantages are that officers may have to spend less time interviewing suspects and witnesses if a match is found early, and some offenders may be deterred from committing crimes knowing their DNA could easily be matched if left at a crime scene.

But, like many issues surrounding expanded use of DNA, familial searching is not without its critics.

Some people, who have no problem expanding the DNA database to include people who have committed or are accused of committing crimes, second-guess requiring family members to be subjected to DNA testing.

"There are privacy concerns about implicating a family member, who may have no criminal record, simply because they have a relative who has been convicted," McCann said.

"It can also be costly, as you don't get direct matches and other testing is necessary to distinguish if the matches are of value or not," said Stacy Warnecke, KSP lab DNA

database supervisor. "Here is an example from a state lab doing familial searching. They had 68 possible familial matches to a sample, so additional testing was conducted on all of those samples. In the end, they were all ruled out. So, all that work and expense was done for no real matches."

Additionally, Warnecke noted, the CODIS system does not support familial searching, so software would have to be purchased to conduct this type of search, adding another expense. Others argue that the United States could never reach the kind of success with familial searching that the U.K. has because of our size and population.

International DNA expert Chris Asplen said despite the concerns, there is not a good reason not to do familial searching.

"I think there is a huge value because it can be a legitimate investigative lead," he said. "Here's the example I always try to use. A common colloquialism for the last name of Smith is Smitty. Imagine you have three guys who go in to rob a bank, and at some point, one of the bad guys yells, 'Hey Smitty, we gotta get the hell out of here.' That is an ear witness, that becomes a piece of evidence in the case. Would anyone ever suggest to police that they couldn't use that word, Smitty, and associate it with the last name Smith because it's related to their family? Is there anything more familial than

UPDATE:

The Kentucky Law Enforcement magazine staff published a feature package in the Winter 2005 edition about cold cases. In that article, the author identified a Lexington murder case that was being re-investigated through a cold-case grant. At that time, Doris Roberts' killer was unknown.

Through DNA evidence and the hard work of Lexington investigators, it was discovered that 37-year-old Robert Smallwood not only killed Doris Roberts, but also raped and/or killed three other women in his lengthy criminal career. Smallwood is now behind bars serving three life sentences without the possibility of parole after pleading guilty to his crimes. See page 42 for more on this story. ■

your last name? No. Other than DNA, no. Except that DNA is more reliable.

"... So why in the world if we were to use the most sophisticated, accepted, validated biological science available to law enforcement, why would we say that it would be inappropriate to take a profile from a crime scene that we believe belongs to a rapist or some other perpetrator and not be able to use that familial association when we get a hit to what we believe is a family member in a database?" Asplen continued. "Again that family member is in the database because they did something wrong. Whose rights are we violating here?"

Asplen said some critics claim doing familial searching means everybody is a suspect. But, he said it is no different than using fingerprints or a license plate number to identify someone.

"If you go back to the robbery scenario, and that eye witness gets the last three digits of the vehicle's license plate and gives it to police, the police run all the cars that have those last three digits and come up with maybe a couple hundred," Asplen said. "Does that really mean that everybody in the state of Kentucky who owns a car is a suspect? No, that's ridiculous.

"But we have these ridiculous thoughts because it is DNA and we feel differently about DNA," he continued. "When we actually think about it and understand what we're really doing, we are not violating anybody's rights." ■

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